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8                          IN THE UNITED STATES DISTRICT COURT  
9                          FOR THE EASTERN DISTRICT OF CALIFORNIA

10 KEVIN B. JOHNSON,

11                          Petitioner,                          No. CIV S-04-0892 MCE DAD P

12                          vs.

13 JIM HAMLET, Warden, et al.,

14                          Respondents.

15 \_\_\_\_\_ /  
16 WADE THORNTON,

17                          Petitioner,                          No. CIV S-03-0755 MCE DAD P

18                          vs.

19 DIANA BUTLER, Warden,

20                          Respondent.                          ORDER

21 \_\_\_\_\_ /  
22                          This matter came on for a status conference on May 4, 2009. Michael Bigelow  
23 appeared for petitioner Wade Thornton. Victor Haltom appeared for petitioner Kevin B.  
24 Johnson. Michael Farrell, David Eldridge, and Judy Kaida appeared for respondents. After  
25 hearing the arguments of counsel, THE COURT MADE THE FOLLOWING ORDERS and  
26 announced them to the parties in open court:

1. The habeas petition filed by petitioner Kevin B. Johnson will be dismissed with prejudice pursuant to the request for dismissal filed on April 23, 2009;

2. Petitioner Wade Thornton may file a motion for leave to file an amended habeas petition no later than seven days from the date of this order; and

3. Respondents shall file a response to petitioner Thornton's motion for leave to file an amended habeas petition within seven days from the date of service of the motion if one is filed.

DATED: May 4, 2009.

Dale A. Drozd  
DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

DAD:8  
thorntonjohnson.oah